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IN CLERK'S OFFICE  
U.S. DISTRICT COURT  
★ 1007 10-2100 ★

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

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*Respectfully referred to  
assigned Magistrate Judge.  
S. ordered.*

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*11/14/05*

*usd*  
SERVICE OF LEGAL  
DOCUMENTS BY FAX IS  
NOT AUTHORIZED.

*cc: Counsel  
Magistrate Judge AZRACK*

November 14, 2005

VIA FAX (718) 260-2386

Hon Allyne R. Ross  
United States District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Joyce v. New York City Transit Authority,  
Nesco Service Company and Anwar Lakhancy  
04-CV 1828

Dear Judge Ross:

I represent Kelly Joyce, the plaintiff in the above referenced action and write to you after extensive discussions with my adversary, Francine Menaker, Esq. We have both been burdened with heavy work schedules over the past weeks but we have completed all document discovery and have scheduled depositions for party witnesses which should be completed by December 6, 2005.

It is likely, however, that both sides may require additional depositions of non-party witnesses and will not know exactly who needs to be deposed until after we complete the initial depositions. We would therefore request that our time to complete discovery be extended until January 31, 2006 which will hopefully give us sufficient time to complete discovery.

Respectfully submitted,

*Philip M. Bernstein*  
PHILIP M. BERNSTEIN

PMB:aj

cc: Via Fax (718) 694- 5727, Francine Menaker, Esq.